

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**James W. Fikes, Jr.,**

**Petitioner,**

**v.**

**Warden, Marion Correctional  
Institution, and Ohio Adult  
Parole Authority,**

**Respondents.**

**Case No. 2:16-cv-832**

**Judge Michael H. Watson  
Magistrate Judge Kemp**

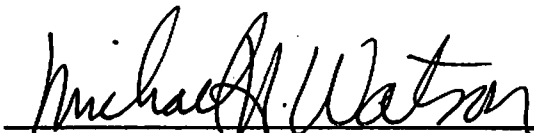
**ORDER**

On February 15, 2017, the United States Magistrate Judge issued a Report and Recommendation (R&R) recommending that this action be dismissed as unexhausted and as barred by the one-year statute of limitations found in 28 U.S.C. § 2244(d). The parties were specifically advised of their right to object to the R&R and of the consequences of their failure to do so. There has nevertheless been no objection to the R&R.

The R&R is hereby **ADOPTED and AFFIRMED**. This action is hereby **DISMISSED** as unexhausted and as barred by the one-year statute of limitations found in 28 U.S.C. § 2244(d).

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT**.

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON, JUDGE  
UNITED STATES DISTRICT COURT**